

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MICHAEL W. DIEBOLD,

Plaintiff,

V.

**COMMONWEALTH OF PENNSYLVANIA,
PENNSYLVANIA STATE POLICE, and
CHRISTOPHER PARIS in his official
capacity as colonel of the PENNSYLVANIA
STATE POLICE,**

Defendants.

CIVIL ACTION NO. 23-2100

ORDER OF COURT

AND NOW this 28th day of March, 2025, for the reasons set forth in the Memorandum Opinion, it is hereby ORDERED that the Motion to Dismiss (ECF No. 14) filed by defendants is granted in its entirety. The complaint (ECF No. 1) is dismissed with prejudice. The Court adopts the R&R (ECF No. 23) as the opinion of the Court in part, as supplemented by the opinion, with respect to the dismissal of claims on the basis of Eleventh Amendment immunity. The Court does not adopt the R&R with respect to its analysis of the *Heck* bar. The clerk shall mark Civil Action No. 23-2100 closed.

s/ W. Scott Hardy
W. Scott Hardy
United States District Judge

cc/ecf: All counsel of record